

MUSLIM WOMEN SPEAK...

ON GENDER JUSTICE AND MINORITY RIGHTS



TESTIMONIES OF WOMEN



A Programme of **SANCHETANA**
Ahmedabad India.

Objectives of the Public Hearing

The Objectives of the Public Hearing were as follows:

- ❖ To demonstrate the Violations of the Rights of Muslim Women as Women and as People belonging to a "particular community".
- ❖ To solicit the initiatives from within the community to create an enabling situation to render justice to Women, instead of allowing their continued victimization from within and without their own communities.
- ❖ To give recognition and voice to Women's preparedness for a favourable change in laws that entail their rights - and for their Security and Protection as a Minority.

Recommendations :

- ❖ The strongest recommendation lies in the need to protect the Rights of Minorities to live in Peace and Security in a Democratic Nation.
- ❖ The next step would be to increase their representation in decision making positions and in Policy making that would give the needed emphasis in the direction of their Advancement of a Community.
- ❖ Quick action against discrimination against minorities, shifting their focus from making wronged and discriminated.
- ❖ Most of the community strengthening section render hour.

Community Health Cell
 Library and Documentation Unit
 367, "Srinivasa Nilaya"
 Jakkasandra 1st Main,
 1st Block, Koramangala,
 BANGALORE-560 034.
 Phone : 5531518

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A REPORT
ON
THE MUSLIM WOMEN'S
PUBLIC HEARING
11 FEBRUARY 2000
AHMEDABAD - GUJARAT

A REPORT

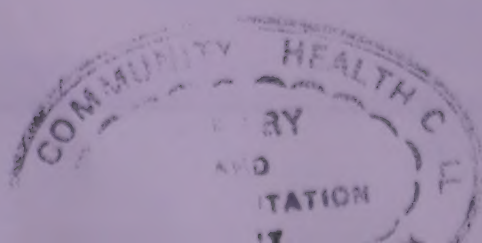
ON

THE MUSLIM WOMEN'S

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11 FEBRUARY 2000

AMERICAN OVERSIGHT



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FOREWORD

To conduct a Public Hearing of Muslim Women in a milieu not necessarily conducive to an unbiased listening was to show the spirit and need that is palpable in the Minorities to achieve the full realization of the social, economic, cultural and Women's Rights on an equal footing even in today's circumstances of rift that is detrimental to progress.

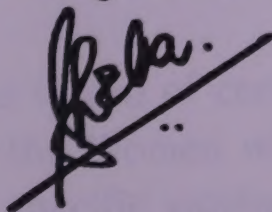
We, as an organization are only instrumental in bringing together in an organized space and platform the Voices of Women sthat want to secure what they presume to be their fundamental right in terms of Equality and Justice - Voices that cannot be dismissed.

It is our effort in the direction of promoting the co-operation of the varied sections within the Minorities in encompassing gender justice in the Development Agenda of their community and as importantly, harnessing the support and accountability of the majority in ensuring the protection of minorities to enable this needed progress.

What is enshrined in our Constitution and what has been reiterated by our country's ratification to several International Conventions and Documents, (ICESCR, CEDAW - Convention on the Elimination of All Forms Of Discrimination against Women, BPFA - Beijing Platform For Action to name some) - is achievable, in what we are able to implement in our Societies. But, prerequisite to this, is the will to do so.

Today's challenge is foremost to ensure the security of communities enough, to enable Voices of the marginalized of the marginalized The 'Women' to be heard.

Seeking Solidarity,

A handwritten signature in black ink, appearing to read 'Sheba', with a long horizontal line extending from the end of the signature.

Sheba George

ACKNOWLEDGEMENT

What is Documentation without an acknowledgement. And so I wish to salute each one of those who made this crucial event a high point of the collective assertion of Muslim Women.

I wish to thank all the Women who were brave enough to make it to the Public Hearing. It is an invaluable contribution to the cause of Muslim Women. I want to even acknowledge the single Woman, for whom our Team members risked their lives - and who did not give her Testimony. I can never forget the tireless work of our Team members whose ceaseless round - the- clock work for a month brought about the events of this day. They even wrote their book *"Main Banke Savera Jaag Uthi"* in this time.

The Women Leaders in each community warded off any misconceptions about this Hearing - I thank them. The work of the Youth (Women and Men) Volunteers - 25 of them in management of all logistics re infuses the promise of the Youth.

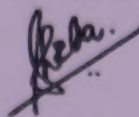
The presence of the Panelists and the patience, empathy and support they emanated captured the hearts of the audiences and Women who gave their Testimonies. We thank you. All our friends in solidarity and members of NGO's and Women's Organizations validated this Hearing with their attendance.

We wish to thank the Media in the responsible and sensitive coverage of this event. The 800 women in the audience and some men gave a glowing vibrance to the day that will always be memorable to them and us.

And finally, the solid and silent support of the IFIE - Institute for Initiatives in Education Team and Dr. Hanif Lakdawala can never go unspoken for in any shared or separate Vision of change. We thank you for all your efforts.

I cannot close this acknowledgement without mentioning the writers of this Report Ms.Nita Shah and Ms. Aruna Anand for bringing this document before you and Mr. Vishal Patel for producing it.

In Gratitude


Sheba George

INTRODUCTION

It is said that the New Millennium belongs to the Woman. We at The Women's Program, **SANCHETANA** and **SAHR WARU (Women's Action and Resource Unit)** would dearly love to believe it.

For then, it would mean that years of our struggle against Societal oppression, communalist forces and gender bias have borne sweet fruit. But changes like these don't happen that fast, given that they are deep rooted and mired in traditions of yore.

But, we believe that it will happen and we will make it happen through small, but significant steps that reflect our commitment towards the cause of Women. The Convention of **Muslim Women held on 11th February 2000 in Ahmedabad - Gujarat** was a concerted effort in that direction by us.

The idea of a **Public Hearing of Muslim Women** had been simmering with us for a long period specially in the wake of the insights we had gained through grassroots activism since 1982. We had been, over a period of 18 years afforded deep insights into the trials and tribulations faced by the marginalized communities, specially the Women on the Social, political and economic fronts, besides that of being Women. These insights have often made us wonder, 'Why are Women not allowed to be their own spokespersons?, Because they are just numbers? Or because they are the "properties" of Communities? Cutting across communities, Women have opinions born of "anguish" that if heard could reduce some of the gross insensitivities meted out to them.

Muslim women have also carried the burden of the misconceptions swirling around them: that they live in purdah and cannot muster the courage to speak up. The narrowing down of Muslim Women's problems into the generalized ambit of Divorce and purdah in the perception of "others" necessitated special platforms for Muslim Women that would give them the space for their own perspectives, to be heard and for them to be viewed compositely.

The spread of **communalism** has also ravaged and shattered many families and here again it is the Women who have borne the brunt of not only gender specific, but also community specific violence. The Women's Program Team had come across many families where the Women had survived the trauma of communal riots and tensions, only to continue

leading a life of fear and economic deprivation they had not faced earlier -the scars more fresh on their psyche than we could imagine.

Nonetheless, our Team members found in all these Women, the common thread of courage to pick up the shattered pieces of their existence , the courage to fight oppression and seek legal recourse if necessary; the courage to talk about the violations that had taken place in their lives, violations and injustices of a very personal nature that are not easy to share with others.

The Muslim Women's **"response"** to the Legal Aid System and **"MAHILA NYAY PANCHAYATS"** set up in the communities of the organization's work whereby nearly 150 cases have been handled in the past two years speaks for itself. There was a gamut of aspects to be brought forth into public light that could challenge many assumptions that lay uncountered - of the "plight" of Muslim Women.

It was with great delight that The Women's Program Team reported the **"Reaction"** to the Public Hearing when they went about many parts of Ahmedabad to announce it. In fact, the perception of the Team was that over 1,500 women would attend it. But, keeping in mind the size of the venue and other limitations, last minute cancellations of entry passes had to be done to limit the number to about 800. Wherever the Team went, the Women expressed the view that such a convention was needed. So, it was no surprise that women gathered in such large numbers on the Day of the Testimonies to be part of the Voices and Views to be heard.

Though the larger part of the audience was Muslim Women, a sizeable contingent were Dalit Women from some areas of Ahmedabad such as Khodiyar Nagar, Behrampura and adjoining areas.

It was our belief that such a forum would enrich the Women's movement with a varied kaleidoscope of views. This kind of a Day of Testimonies by so called "Ordinary Women" needs to be taken into account. It is ironical that these are not the Voices that sit across Tables and Forums that decide their lot and destiny.

This document is, in fact a Testimony to the **"Strength", "Power" and "Dignity"** of Women - perceived to be so **"Ordinary"** in the grip of multiple vicissitudes.

BACKGROUND OF THE PROCESSES UNDERTAKEN FOR THE PUBLIC HEARING

A Public Hearing involving hundreds of conscientized Women from the Muslim Minority was a real "task" on hand. It involved time and considerable effort and considering the issues that sought to be highlighted, a lot of sensitivity and perseverance. There were repercussions and backlashes to be kept in mind.

For a backdrop, it would be interesting to have a glimpse into some of the significant figures whose deep empathy to the issues has brought about this event. They were the Community Organizers (C.O's) of The Women's Program, SANCHETANA who had interacted with the inhabitants of Ahmedabad slums, comprising mostly of Muslim and Dalit families. Having been trained in a wide worldview encompassing gender equality, Social justice and secularism, their objective was to enhance the self - esteem and self - confidence of the Women by providing a platform - individually and collectively - to upgrade their skills and impact the lives of their own people, socially and materially. Violations of Women's Rights loomed large in the minds of these Community organizers, as day in and day out they were meeting women in the community for whom this was part of life, but from homing in on the individual experiences the Women narrated to them, to arriving at a consensus on evolving a stage for them to bring them out into the open, was a big step indeed.

This big step meant meticulous planning involving a number of meetings between the Program Associates, Community Organizers and the Community leaders who constituted the "Women's Watch Committees" on the issues that were to be highlighted at the Hearing. The cooperation of the leaders chosen from each community (where The Women's Program is active) was first enlisted and they were then given the responsibility of mobilizing groups of Women from their areas.

We were conscious that talking about their inner wounds and humiliations experienced through Violence, Divorce, Sexual exploitation etc was going to be very traumatic for these women. It was therefore necessary to gain their confidence. To this end, the Community Organizers personally made periodic visits to the homes of the Women to get more information from them as these Testimonies were going to be from the cases handled by the MAHILA

NYAY PANCHAYATS and subsequent follow up was maintained to apprise the women of the conference objectives - which was to demand justice to Women; well within the purview of the Secular and Personal Laws, that were being defied - and to demonstrate the collective identity of Muslim Women, in this shared demand.

Meetings were organized on the recurrent problem that they faced as Women. The purpose of what this Public Hearing could achieve was discussed. Twenty cases were selected from the cases handled by the 'Mahila Nyay Panchayats' and the Legal Aid Teams. Two trial hearings were conducted. Both were emotionally charged and



A SECTION OF THE AUDIENCE - WATCHING WITH RAPT ATTENTION

prompted the Team to rethink whether it was advisable to undertake such an advocacy exercise that would open up wounds afresh and make the women dwell on situations that they had learned to cope with. But these collective experiences only increased the bonding and resolve to go ahead among Women.

Auxiliary to these issues was the need to emphasize the exploitation of Muslim women not only in their own families but also outside due to the **communalization of politics**. The whole Nation, in general and the State of Gujarat, in particular has been witness to sporadic events of communal violence in the last few years. Being the Minority community has put the Muslims of India in a very vulnerable situation, a situation that is doubly compounded for the Muslim Woman as she is the **Vulnerable among the Vulnerable** within her own Community. To record the atrocities that Muslim Women have been forced to endure during the communally charged times, The Women's Program Team members were split up into several teams, and each team fanned out to parts of Gujarat that had experienced communal violence.

Amod was one of these districts which our Program officers, Ms. Jahan Ara and our Community Organizers, Ms. Naseem and Ms. Mehmooda visited on the 30th of January. Naseem and Mehmooda were selected because they belonged to the same district and knew the people there.

Amod witnessed severe riots in 1998 and 1999 and news about victims was culled out from Newspaper Reports and the reports of fact finding done by several groups. When our Team members visited Amod, they found that there was widespread reluctance among the victims to talk about their experiences, probably out of fear of the repercussions. Because of the known contacts of Mehmooda and Naseem, they opened up a little more, but were still guarded. The stories unfolded one by one - of victimization by the Police and the upper caste Hindus, of instances when the blame for Police firing fell on innocent Muslims that very often triggered off the Riots, of action taken against anybody who supported the Muslim community and the complicity of the Police in all these crimes as also in the harassment of Muslim women.

The Team found that the members of the Muslim Community there are concerned about a repeat of these riots and given the fact that the Hindu Fundamentalist Organizations have taken firm root there in the recent past, they have cause for concern, of their own security.

It was unfortunate however, that only a few men had come from Amod and none of the women could come obviously, there is need to create more assurance of their safety and protection.

If the visit to Amod was upsetting, the ensuing visit to Kukas, Mehsana was heart-wrenching for the Program Associates, Ms. Rajkumari and Ms. Jahan Ara. Here too, communal Riots had taken place in 1997. It took them several visits through different contacts to meet the widow and daughter of Bader khan - one of the victims of the riots.

Kukas is a village in the district of Mehsana where Muslims (settled for the last 4-6 generations) have been co-existing peacefully along with the Hindu communities. The houses of the Muslims in fact are so arranged that they are bordered on all sides by their Hindu brethren.

The communities lived in relative harmony until the floods 3 yrs back, when communal elements took advantage of the vulnerable situation to cause havoc. **The problem arose in the distribution of the Relief supplies following the floods, when a section of the upper caste Hindus were not in favour of distributing the supplies to the Muslims who were also in need of it.** Unable to tolerate this partiality, Baderbhai who was a member of the Zilla Parishad urged them to ensure a fair distribution and worked tirelessly for the people of his community to get them a just share. This led to unrest and as its culmination, Baderbhai was brutally murdered in front of his newly built house. Riots ensued, during which several Muslims

were victimized. Fearing a return of this scenario, all the Muslim families have fled from Kukas in a mass exodus and settled elsewhere. The wife and the daughter of Bader Khan were prepared to come and give their Testimonies at the Hearing.

Dalits, especially the Women, have been victims of the anti-reservation riots of the mid - eighties and the early nineties. Like Muslim women, they too are subjected to unjust laws and judgements. The Panchayats which are male dominated represent the customary laws and here again, family laws are under their purview and not open to women's voices. A fallout then, amongst The Women's Program - SANCHETANA's Dalit Team Members over the impending Muslim Women's conference was, to reach out to those in their community who had cases pending with the Mahila Nyay Panchayats. **Insights gained from one-on-one talks corroborated the knowledge that Dalit Women face oppression from within their Society where they needed wider societal support to change their lives as women as they also carried the added burden of discrimination being *Dalits*.** They had come to the Hearing mainly to find out what their Muslim counterparts had to say, but at the end of the Hearing derived immensely from the strength and empowerment processes that the Muslim women represented. **Infact, at the end of the Hearing they hoped for a separate meeting to highlight problems specific to their community.**

As the day of the meeting approached, a section of the workers and invitees voiced concern over the selection of the day - a Friday, the day of Prayer. There were apprehensions that large numbers of women would stay home. That it did not happen was to the credit and the perseverance of the workers of The Women's Program as well as the enthusiasm of the invitees. We obviously were addressing a critical need that lay dormant within them. In fact, it was overwhelming to the organizers to find that many Women surged forward with their Testimonies, and had to be accommodated. Another salient feature of the Conference was that both **the oppressor and the oppressed** attended, frequently the victim spoke out without fear of reprisal - in the presence of the mother-in-law sitting in the audience. Follow-ups by Community organizers after the meeting revealed that there was no significant aftermath probably because if there was a disapproving voice or two, it was countered by many vociferous voices who felt that it was justified to make public these wide spread injustices.



AS THE TESTIMONIES UNFOLD

All roads seemed to lead to the venue on the day of the Hearing as a swelling crowd of about 800 vibrant Women from primarily the Muslim Community and a number of Women of the Dalit Community from areas where the Organization works came to participate in an event that was carefully and painstakingly planned over a month's time.

Participation was drawn from all areas of Ahmedabad (Shah-e- Alam, Jamalpur, Behrampura, Kalupur, Dariapur, Chhipawad , the peripheral areas of Makhtampura, Juhapura, Sarkhej and Guptanagar). Muslim Women from the district of Mehsana and Muslim Men from Amod had come in as well.

A select number of representatives of Women's organizations and NGO's like

Iyoti Sangh, Karm Sangh, Kutch Mahila Vikas Sangathan, AWAG, SEWA, Utthan, Samajik Nyay Kendra(CSI), Vikas Adhyayan Kendra too were to be witness to this Public Hearing .

And, last but not the least, several friends and activists in Solidarity to these efforts, also attended.

The Day's events commenced with a Prayer sung by one of the Program Officers, **Rashmi Gupta**, which succinctly posed the question hovering on everyone's mind - the Questions of gender inequality, communalism and the chasm that exists between the Communities, that does not augur well for Peace. The overwhelming applause from the gathering told us that we could not have asked for a better way to start the day's proceedings.

The Panelists present- **Dr. Syeda Hameed**, Member - National Commission for Women (NCW), **Prof. Imtiaz Ahmed**, - Professor, Sociology Department, Jawaharlal Nehru University, New Delhi, **Dr. Hanif Lakdawala**, Director SANCHETANA and **Ms. Sheba George**, Co-Director, SANCHETANA were introduced to the gathering.

As part of the Inauguration, a book entitled **"MAIN BANKE SAVERA JAAG UTHI"** was released by **Dr. Syeda Hameed**. This book, authored by the members of The Women's Program Team gives glimpses into the lives of the three Program Associates and the Community Organizers, relating their accounts of a process of Transformation after they

"I urge you to listen to these Testimonies with an open mind free of misconceptions. Being Muslim Women, they have certain special problems that need sensitive comprehension"
- MS. SHEBA GEORGE,
WELCOMING THE GATHERING.



MS. RASHMI GUPTA RENDERING
THE PRAYER SONG.

joined the Women's Program, Sanchetana, and the passion that has drawn them to such a level of personal commitment to pursue this work.

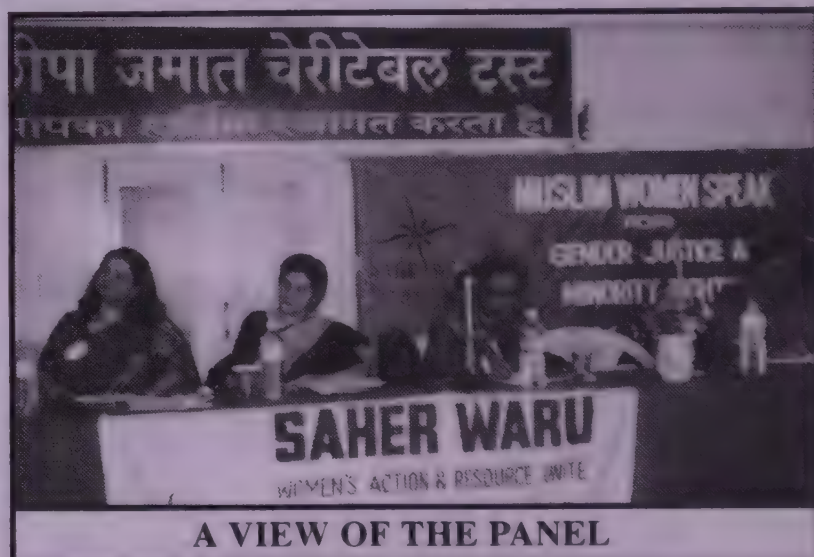
Senior Advocate of the Gujarat High Court Haroobhai Mehta, Advocate of the Gujarat High Court Rani Advani and Writer and Secularist Indubhai Jani who have in their different ways contributed over the years to the Women's and Minorities causes joined the panel later. Their candid observations and suggestions were morale boosters to the present and future co partners in this Struggle.

Senior Program Associate, Rajkumari Pariyani proceeded to apprise the gathering on the activities

undertaken by The Women's Program in the different areas of Ahmedabad. She spoke about the Savings Scheme that transformed the life of many a woman and has given them the economic empowerment they could only dream about a few years back.

She also explained the working of the *Mahila Nyay Panchayat* (Women's Watch Committees) that are part of the Legal Aid Programmes. The thrust of both these Programs, she explained, is raising the self - esteem and

cognizance level of the disadvantaged Women. The evolution of SAHR WARU, Women's Action and Resource Unit as a distinct unit to meet the growing roles of Research, Documenta-



A VIEW OF THE PANEL



DR. SYEDA HAMEED RELEASES THE BOOK
"MAIN BANKE SAVERA JAAG UTHI"

tion, Information Dissemination, Networking and Advocacy on Women's Issues that The Women's Program has been playing in the last eight years was also explained.

The events of the entire day were anchored by another Program Officer, Jahan Ara and her posers to the audience between the Testimonies were thought provoking.

Welcoming the guests and gathering, Ms. Sheba George, Co - Director, SANCHETANA and Women's Program In



**MS. RAJKUMARI EXPLAINS
THE ACTIVITIES
THE WOMEN'S PROGRAM**

charge gave a brief background to the need felt for organizing a Convention of this nature, especially in today's communally charged milieu. She called upon the gathering to listen to the Testimonies with an open mind, free of prejudices and pre-conceived notions of the problems of the Minority community.

Dr. Syeda Hameed opined that opportunities like these for Muslim Women to express themselves freely and without fear were very few and urged the women to make full use of it by speaking from their hearts. She added that the **National Commission for Women (NCW)** was concluding the process of conducting similar Hearings all over the country to record the

atrocities against Women and that this would give the Commission unique insights into the problems of Muslim Women in Gujarat.

"Dear Sisters, this is your Majlis- a forum where you can speak out- do take this opportunity and speak without fear"-

Dr. Syeda Hameed, Member National Commission for Women.

It was then that the Testimonies began in full earnest, with the Women speaking on issues that ranged from **Divorce and Maintenance, Rights to Child Custody, Domestic Violence, Child Sexual Abuse, Widow's Rights to Property to being Victims of Communal Violence.** Their accounts were spontaneous and many of them broke down, overwhelmed by emotion, unmindful of the audience. Such was their anguish.

In his comments, **Prof. Imtiaz Ahmed of Jawaharlal Nehru University** had rightly pointed out that Women are always at the receiving end in life, whether they belong to the majority or the minority community. Desertion, physical and mental harassment etc are issues common to all women. **The bane of the Muslim Woman was in the easy divorce that is prevalent in the community, with Divorcè being unilateral and the prerogative of men.** Securing Maintenance and Iddat Rights constituted within the Personal Law are also not easily attainable for Women. Communal tensions and Religious fundamentalism both from within and outside the community further compounded and complicated their issues. **As the Hearing primarily focused on the Testimonies of Muslim Women, we shall consider those that pertain to these problems first:**

1. FREEDOM, EQUALITY & AUTONOMY ARE CONCEPTS WE TOO HAVE- SHAMIM'S STORY :-

When it comes to asking for her Rights and demanding her place in the Sun, there are few women as assertive as **Shamim Banu of Shah - Alam, Chandola**. Her cheerful demeanour masks a life that has been marred by violence and suspicion.

After having lived with a man for 4 years, she persuaded him to marry her, little knowing what was in store for her after marriage. She left for Mumbai with her husband, only to find that he resented her interactions with other men, no matter how innocent. She was not allowed to venture out of the house, not allowed to talk to strangers, or even old acquaintances, if she happened to meet them, by chance. He would punish and reprimand her for any apparent "wayward" behaviour.

Whenever she tried to convince him of her innocence, his refrain would be, "A woman of honour will not behave this way", while it was perfectly normal for him to talk to other women.

Angered by these double standards, Shamim time and again fought with him for the respect due to her as his wife, so that the rest of the world would respect her too. These pleadings fell into deaf ears and unable and unwilling to live in the stifling atmosphere anymore, she accepted the Divorce that he slapped on her. Shamim had sought the support of the *Mahila Nyay Panchayat*, Chandola to mediate with her husband.

Shamim's powerful tone while expressing her views is characteristic of the lesser known face of the Muslim Woman who is not fatalistic about Woman's secondary position in Society. They fume, "Why should we take this Male domination? Why is it that Society has a different set of Rules for Men and Women? And why is it our lot that we have to put up with such abuse?"

She sought answers to these questions from Society at large. The space and platform she received amongst other Women like her added to her energy to struggle for a fair deal.

Shamim's story is also characteristic of thousands of women who face discrimination at every walk of life, but her courage to question it is uncommon and an example for other women to emulate.



**MS. JAHANARA ANCHORING
THE ENTIRE PROGRAMME**



SHAMIM SPEAKS ON HER
STRUGGLE AGAINST
INEQUALITY

2. DIVORCE AND MAINTENANCE RIGHTS - IT IS DUE TO MY CHILDREN-NOORJAHAN SPEAKS..

Claiming Maintenance from men who themselves are in the clutches of Poverty is in itself a difficult task. The educated, upper class Muslim woman may have the mantle of protection of her class but for the poor woman the battle is manifold.

One of the loopholes in the Personal law pertains to the rights of maintenance for a divorced woman and her children. **Noorjahan from Chandola is one of the hundreds of Muslim women in the country who, as a victim of desertion is now seeking maintenance following her divorce.**

Noorjahan has suffered both as a woman and as a mother. She was married off by force to a crippled person by her father when she was barely fifteen, even though her affections were centered elsewhere. Since then, Noor Jahan 's life has seen two abusive relationships and hardly any happiness.

Before her marriage, she was in love with a man, but was forced to comply with her father's wishes and married a crippled man. She gave up all thoughts of this relationship and reconciled herself to a new life with her husband. She was treated well by her new family for a few months. But some mischief makers poisoned her in - laws and husband's mind against her and linked her frequent visits to her mother's house to secret trysts with the man she was involved with earlier.

Influenced by these rumours, her husband harassed and physically abused her, so much so that she attempted suicide by dousing herself with kerosene. Hearing of this, her father took her back home. Once there, she refused to go back to her husband and obtained a Divorce from him. Back in her mother's home, the man she was involved with started pursuing her once more. She was wary of forming any new relationships, but he convinced her of his seriousness by attempting to commit suicide along with her when their love was not being accepted by both families. This act convinced them and she married him. But, she found life to be no different in this relationship too.

In 14 years, she bore him three children, **but in those 14 years she also went through unspeakable physical and mental abuse.** Finally, he divorced her and threw her out of his

house and refused to provide for her or his children. Even when she was seriously ill and when their daughter went into a coma, her husband did not bother to come to see her. **She still awaits the maintenance due to her and now life with all the challenges ahead seems bleak to her.** Noorjahan took the help of the *Mahila Nyay Panchayat*, Chandola, which is now assisting her in her negotiations for her children's rights. The problem of providing for and educating her children, without even a shelter above their heads seems absolutely daunting to Noor Jahan.

3. WIDOW'S RIGHTS TO HER HUSBAND'S PROPERTY - SPEAKING UP WITH A SENSE OF RIGHTEOUSNESS - NAZERA FUMES



If a divorced woman remarries, she can hope for a better life at her new home. But for a widow (who does not remarry) **life is an endless struggle for a share in the husband's property.**

Originally from Jhansi in U.P., Nazera lost her husband a year back in a revenge shoot out over feudal property, that her husband was fighting over and which she opposed from the very beginning. As they were living in Ahmedabad in a joint family, she continued to live here after her husband's death expecting her Rights and status as a widow in her in-laws home and sought succor and financial support, but found that none was forthcoming.

If she ever vented her misery at being widowed early and her children having lost their father, her brother - in - law would curse her and issue death threats and even went to the extent of attempting to strangle her to death. When she went to register this complaint of attempt to murder at the local police station, **her brother - in -law labeled her insane and slandered her reputation.** After trying to publicly humiliate him in the community where they lived (he has some standing there), she retorted to the Police "Anyway I am insane" - when HE went to make a Police complaint of her behaviour!

His aim was to thwart her efforts at getting her rightful share in the family property and to scare her away. **But, being made of sterner stuff, Nazera refused to buckle under his threats and continued her struggle.** As she said to the audience, "Why should I fear anybody? I fear only God". Her courage and conviction aided her fight and heeding the advice given by one of her sisters-in -law, Zulekha, she approached the Women's Program Sanchetana.

She firmly believes that having been married for 20 years entitles her and her children to a share in her husband's property and to maintenance, and has vowed to fight for what is rightfully theirs. Today, her brother-in-law pays her a maintenance amount of



**NAZERA-COURAGEOUS IN THE
FACE OF ADVERSITY**

Rs. 1,500/- per month, through the Mahila Nyay Panchayat (Millatnagar), but she will not rest till her work in ensuring her children's future is done.

If the Women's Program Team needed any confirmation of the need for holding a Hearing of this nature, these three Testimonies were proof enough. All these women have had diverse problems, but have shown that they have in them, what it takes to persevere. All that they needed was space, a Forum to share their views and seek redressal and the unstinting support of an Organization like SANCHETANA for them to fall back on. One wondered, on seeing them, if these were the very same women who are traditionally considered "meek"

"submissive", "Caught in a time warp" by other "enlightened" sections of Society. These women showed that the poor Woman, although lacking in resources available to her middle or upper class counterparts, learns to draw on her reserves of strength in trying times.

4. THE BANE OF TRIPLE TALAAQ :

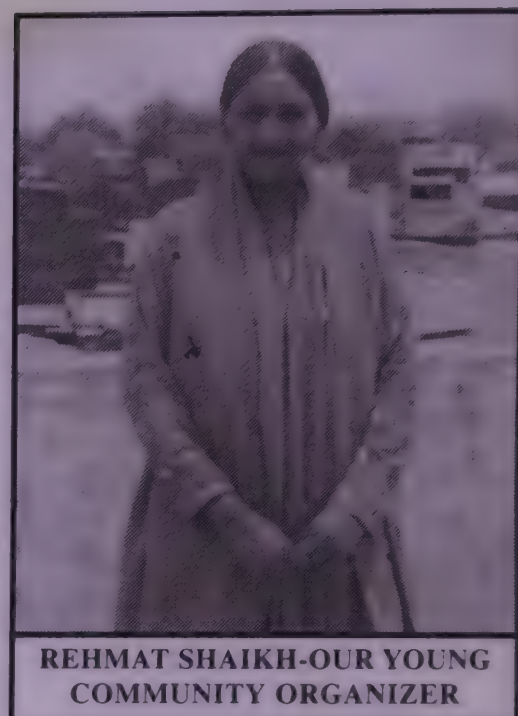
A sense of personal involvement is inevitable when one works with issues close to one's heart. Rehmat Sheikh, our youngest community organizer holds Women's Rights dear and her anger was palpable when she recounted two experiences she had at the community - one involving a triple talaaq and one of bride - burning.

On her way back from work in the community, Rehmat noticed a woman crying bitterly, approached her and learnt that her husband had pronounced "Talaaq" thrice in succession and had said he would return the "Mehr" amount that evening, which apparently meant that their marriage was dissolved. The Woman however did not want the divorce. Rahmat, infuriated by this attitude of the man, reassured the woman that this Talaaq was not valid and got the confirmation from the concerned Maulvi too.

She told the woman this and also advised her to accept the "Mehr" as it was her right, and also insisted that she receive the Maintenance and "Iddat" amounts from him, if he still wanted to proceed with the divorce. Large community meetings were held in the neighbourhood to build support for her. Many disapproved the irresponsible use of "Talaq" in moments of anger.

The husband who was regretting his actions revoked the Talaq. A patch up has taken place with the intervention of the Women's group and now the couple live happily. But, Rehmat is pained at the advantage men take of the loopholes in the system to exploit women. What is to happen to women who do not have the benefit of somebody to advise them, she wondered?

While in the above case, Rehmat could mobilize the community's support and deliver justice, in **Suhana's case** which concerned maintenance and care for her children, Suhana had to sacrifice her life to ensure her children's comfort to the frustrated helplessness of our Team. Hearing of a woman being burnt, Rehmat and others rushed to the slums, and were shocked to see Suhana's husband indifferent to his wife burning to death. "Go and save her if you can" he said. Suhana was admitted to the hospital with severe burns, but refused to blame her husband for fear of her children becoming destitutes. Suhana died after a brief struggle and her father, despite knowing that his daughter was killed and



REHMAT SHAIKH-OUR YOUNG
COMMUNITY ORGANIZER

did not die by accident, refused to file a complaint against his son-in-law. When urged by Rehmat to file a complaint, all that he said was " My daughter would not want me to do it. Who will care for her children then"? Even today, Suhana's husband is scot-free thanks to loopholes in the law. Rehmat's pleas with Suhana's father to provide evidence against his son-in-law fell into deaf ears as he too was worried about his grandchildren's safety.

5. THE INJUSTICE CONTINUES :

Shaheen - Married at 19, she had to forget her childhood dreams of a higher studies and freedom. She had to find work outside the house because her husband would not work. She was abused by her in-laws and was given second class treatment because her husband, was considered a burden on the family. After living in virtual hell for 6 months, she left for her parental home.

The *Nyay Panchayat* women, noticing her prolonged stays at her mother's house, then counseled her to institute a case against her husband or file for divorce. The in-laws caught scent of this and tried to trick her into returning so that they could kill her. A timely warning from her sister-in-law saved her. With The Women's Program's intervention, the iddat amount was fixed at Rs. 3,000 but they went back on their words and would not pay more than Rs. 1,000. She could have obtained a divorce had she accepted this amount. Now a case has been instituted. Shaheen's dilemma is that if she returns to her in-laws, she will be abused.

After negotiations with the in laws by the Legal Aid Team, she was finally ready to go back. Currently she has commenced living with her husband.



SHAMIM PATHAN - A PROUD ROLE
MODEL FOR OTHER TO EMULATE.

6. **DOUBLE STANDARDS - ONE FOR WOMEN AND ONE FOR MEN:**

The double standards that are practised even in this day and age are eating into the souls of many Women. Jaibunnissa of Chandola was always concerned about gender inequality from a young age. She wanted to study, enjoy her rights and be treated on par with her male siblings but was forced to marry by her parents. Married off to an irresponsible and lazy man, she was forced to go out to work.

She did not mind working, but could not tolerate the physical abuse meted out everyday to her by him. Her parents would not take her back for fear of societal censure. She wanted a divorce and fought for it. The members of the Legal Aid Team called her husband and his family for a meeting. Initially her husband refused as the family thought they could harass her into opting for a "Khulla" instead, by which they could escape from paying her any Mehr or Iddat. However, her persistence paid off and today, she has both - the divorce and the iddat amount - and the Legal Aid Team had managed to recover her Streedhan too.

7. **LIKE A BREATH OF FRESH AIR.. SHAMEEM PATHAN OF JUHAPURA**

Once in a while there are Women who storm the traditional male bastions and provide inspiration to hundreds of Women like them who had earlier thought there was no way out.

Shameem Pathan, is not one to be bothered by roadblocks. A Matador driver by profession, she drives up to 700 kms every day, earns a handsome salary and what is more, enjoys turning gender discrimination on its head. Doing a man's job in a man's milieu, she is not bothered by niceties.

She came from a well to do family, the only sister to seven brothers. Having loved and married a man, she hardly thought that he would expect her to fend for him. But that was the reality that confronted her. With no other alternative available to keep the home fires burning, she began work outside the home. She has run through a gamut of businesses, in the last several years, like Milk-vending and Kite making and led a hard life before she achieved the position she holds today. She is now single and the hard life is behind her, but not before facing gender discrimination in her business ventures, such as being denied a loan to buy a Matador because of her gender.

Shameem did not wait for equality to come to her. She went ahead and grabbed it. Long before the laws were amended, she went and filed an affidavit to give her son her

name, not her husband's, since she was raising him alone. She rebuked the Women in the gathering for observing purdah, for spoiling their sons and favoring them over daughters, and for wallowing in self-pity.

Her motto is, if a woman wants to do it, she can. "Give up notions of false modesty and powerlessness. The more courage you display, the faster will be your progress in life," she told the gathering. She urged her other Muslim sisters to get together to fight communal violence. During the riots in Guptanagar, she said the Muslim Women should have got together and taken on the Police, instead of taking refuge in a mosque and falling prey to Police atrocities. The Women of Juhapura from where she comes took out Protest Rallies during that time, she said. Her empowering speech was peppered with witty anecdotes that held the interest of the audience and drove the point home. Shameem came across as a whiff of fresh air and as a role model for Women who are not presented with alternatives in life.

Having looked at problems typical to the Muslim Community, let us consider Testimonies given by some Women about problems that confront Women in general.

8. VIOLATION OF RIGHTS AS COMMON TO WOMEN AND THE GIRL CHILD.

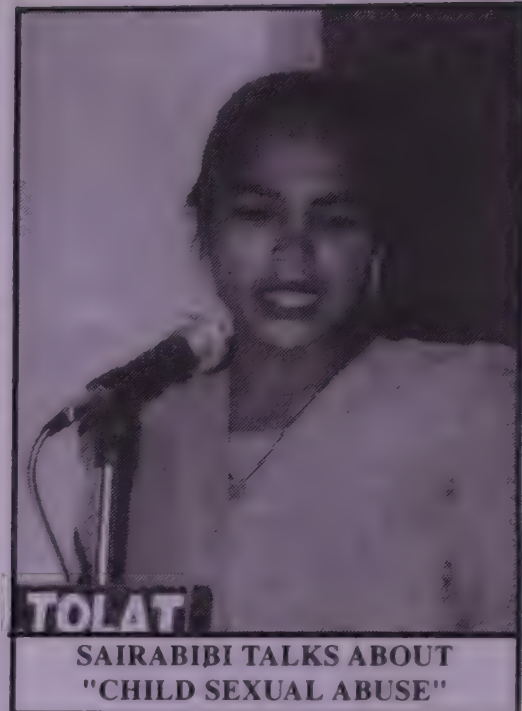
Sexual abuse is probably the most acute form of repression and the meeting threw up speakers who had faced sexual abuse, and still many times worse, saw their daughters going through it and all they could do was watch from the sidelines in shame and outrage.

CHILD SEXUAL ABUSE BY NEIGHBOUR

Sairabibi, a woman from Chandola, related the horror story of watching her 4 - year old daughter being molested by her neighbour.

Forced to work outside the home to eke out a living and having no familial support systems to look after her child, Sairabibi was used to leaving her children in the care of her sisters living nearby and her other neighbours.

While she was at work one day, a 65 yr. old neighbour tempted Sairabibi's 4 year old daughter into his house, luring her with sweetmeats and then began sexually molesting her. Hearing of this from her sister, Sairabibi rushed to the neighbour's place and found it to be true. She ran to the nearby Police Station where she was given no hearing. Mehmooda, a Community Organizer of The Women's Program - Sanchetana in the locality on an area visit





MEHMOODABEN-TRUE
GRASSROOTS LEADER SHIP.

saw the commotion and went to enquire. The case was then taken up by the Legal Aid Team. The weakness of laws for Child abuse is well exhibited here. The old man was imprisoned for 3 months and died recently. But as Sairabibi wonders aloud, what is to happen to her daughter who she feels is scarred for life and who will have to live with the psychological trauma of sexual violation at such a young age.

Sairabibi herself is a victim of the unjust unilateral Divorce laws. Married at barely 14 yrs of age, she gave birth to 3 daughters and had to face her husband's taunts and abuse - he disowned his second and third daughters saying they were born to Sairabibi's father!

After the divorce from her first husband, Sairabibi married again and this time found that her second husband resented her daughters through the first marriage. She pointed out to him that he knew about it when he married her and that he should accept them but he ill-treated them. They separated.

In fact, we got glimpses of the anger simmering in Women like her when Sairabibi recounted that she had begun to hate her husband so much that she was watching a movie when he was dying. All emotion for him had died a bitter death, she said.

CHILD SEXUAL ABUSE BY FATHER

In some cases, girls are not safe even in their own houses. Since most of the poor women are away making ends meet, their minor daughters are left to the mercy of relatives, not excluding fathers, at home. In a renewed signal of awakening, memories, no matter how painful, were dredged up by some courageous women at the dais.

"If men were not like this, Women would not have to come to speak up on a Platform like this" - Imdad Bibi.

Imdad's first marriage in Bareilly did not work out because the husband did not fend for the family. Her mother-in-law also pressured her son to divorce her. Imdad married again, bringing along her three-year-old daughter by her previous marriage, to Ahmedabad, only to be deceived by an abusive husband. In the last 11 years of marriage, she has undergone severe physical and mental abuse. Every time she sought refuge at her mother's home, she was lured by false promises to return to her husband only to be physically abused once again. She has also given birth to two more daughters. Her husband has even begun

molesting her daughter from her first marriage as she is growing up. Unable to take it anymore and fearing for the safety of her children from their abusive father, she approached the Women's Program Team. Now SANCHETANA is helping her file a case against him.

" Cannot Women demand a part of the Property and separate according to the Law?" she asked.

A SIMILAR STORY OF RAZIA'S AS NARRATED BY OUR C.O.

A fitting testimony to the personal involvement of the Community Organizers of The Women's Program Team was evinced in the narration given by Mehmooda, our C.O. from Millat Nagar. Taking up the cudgels on behalf of a wronged woman, Mehmooda dared to defy her husband who was not in favour of her getting so seriously involved in sensitive issues. Mehmooda was even prepared to leave her husband to ensure that Razia, one of the Women whose case was registered with the Mahila Nyay Panchayat, received justice.

Forced by a crippled man into marriage with him, Razia left for Mumbai where all her problems started. She bore him 8 children, 6 girls and 2 boys.

Noting with horror that her husband was infact, beginning to sexually abuse his own girl children and fearing for their safety, she rushed to Ahmedabad with her children. Her husband however, having considerable political clout and connections followed her here. Under the cover of darkness, she sought refuge in the C.O. Mehmooda's house, where Mehmooda lodged her in safety, despite the threat to her own existence from some anti social elements. Today, Razia is separated from her husband and her children are safely lodged in an Ashram in Ahmedabad, thanks to the intervention of The Women's Program. In fact, Razia could not attend the Hearing because she was busy with a court Hearing in Mumbai related to property and unable to bear with a life for herself and children in a Destitute's Home, has negotiated with the same husband for a home and economic support for herself and her children.



VICTIMS OF COMMUNAL VIOLENCE

Societal conditioning of Woman as an 'object' has had horrific impact in communal riots. Caste and communal conflicts have abused Women as being the property of communities, seen in its most horrendous forms during and post partition. It is a well quoted rhetoric that men have used Women's bodies as their battle grounds. The Muslim community and its Women in particular have faced violence in incidents erupting sporadically culminating in 1992 post the demolition of the Babri Mosque all over Gujarat and since then too. The Kukas, Mehsana riots in 1998 triggered off an exodus of the community from these regions. Fearing a backlash, those who left have still not returned. Minorities all over the country are raising concerns for Human Security and Social Protection of which Ahmedabad has one of the worst records. During the 1998-99 riots in Amod, Bharuch, police were reported to have sexually molested Muslim women. Similar police complicity is said to have occurred in the riots that took place in Guptanagar in Ahmedabad-1999, Dabhor in Baroda district and Hathuran in Surat district, 97 - 99.

The case of Zilla Parishad member Baderbhai as related by his niece referred to the travails his family is facing today as a result of his victimization and subsequent death in the aftermath of communal riots. Baderbhai enjoyed the goodwill of members of his community in Kukas, Mehsana, where he was working for the Zilla Parishad. Angered by Baderbhai's popularity among the people and his status within the community, the upper caste lobby in the village arranged for his newly constructed house to be ransacked and destroyed.

More gruesome than this was that Baderbhai was slain by a leader of the upper caste in front of his wife and children. Today, three years after the horrific incident his widow and daughter are still unable to relate this incident without breaking down and his niece had to therefore talk on their behalf.

Baderbhai's son and widow now work to support the family and the meagre compensation they received has been spent for the wedding of their daughter and for the expenses of litigation.

The Kukas presentation was poignant and upsetting for the audience. These memories are wiped out for us in a short time, for the affected families, it seems like only yesterday.

Ms. Sheba George, Panelist implored the members from other NGO's to understand the treatment meted out to the Minority communities in the state and join hands to restore Peace and Secularism. She praised the role of secularists like Indubhai Jani and Haroobhai Mehta and said that without their support other secular organizations could never work in this milieu.

Social Activist Indubhai Jani also felt that the present trend of communal forces gaining strength spelt disaster for the future. He recalled the incidents in Kukas, Mehsana and detailed the misery suffered by Women during those times.

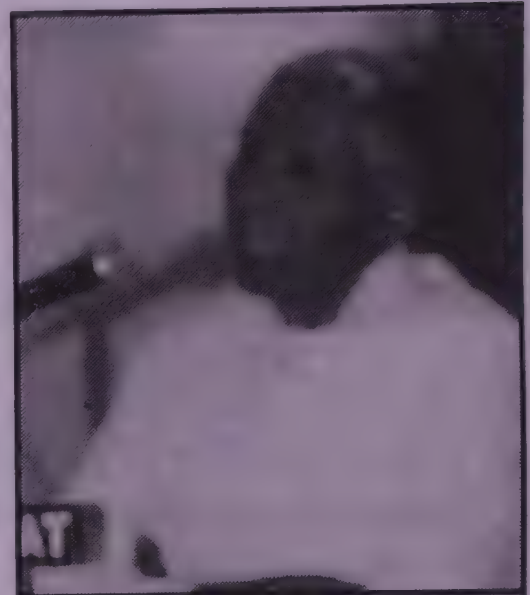


PAINFUL MEMORIES EVEN AFTER 3 YEARS - VICTIMS OF COMMUNAL VIOLENCE FROM KUKAS, MEHSANA

MUSLIM WOMEN AND POLITICAL PARTICIPATION

The Women's Program Team wanted to bring in to the focus of Study, the experiences of Muslim Women in Politics at the Panchayat and Nagarpalika levels, to understand the obstacles that women in politics faced. Some of the elected representatives who spoke from the Panchayat and Nagarpalika levels, came from areas that were Muslim dominated; which enabled some of them to deliver effective leadership :-

1. Amina Machiswala, Sarpanch of Makhtampura knows from experience that women bring honesty and transparency in politics. Ever since the induction of more women into the panchayat, she said corruption had-gone down and work was progressing faster because women are usually less corruptible than men are. It is more difficult for people to bribe their way through when women are in charge of political bodies, she said and urged educated women to enter politics and not keep away from it.



**"WOMEN MAKE BETTER LEADERS THAN MEN".
MS. AMINA MACHISWALA**

Harassment was common in these arenas too, but women had the patience and ability to overcome any problem, she felt. Women corporators also have the ability to convince people to pay their taxes on time and get work done fast, she said.

2. Kauserbanu Mirza, Councillor, Vejalpur Nagar Palika, took a different view. She admitted that it was difficult for women to come up in politics: "Your own people do not allow you to get ahead in politics. Sometimes political parties stop you, sometimes your own brothers do" she said. Nevertheless, pitfalls should not deter women from joining politics, she felt and it was necessary to overcome the hostility and succeed.



**"OBSTACLES TO WOMEN IN POLITICS ARE APLENTY" -
Ms. KAUSERBANU MIRZA.**

3. Another member from a Panchayat, Mehrunnissa had come to the Hearing. She also shared her experiences briefly saying they were good. She was also the neighbour of the daughter of the victim of communal violence, Baderbhai of Kukas. As both the widow of Baderbhai and his daughter broke down and could not speak about the incident, she spoke about it- after Baderbhai's niece had made her presentation.

In the preparatory processes four Muslim Women Corporators with the Ahmedabad Municipal Corporation were contacted. Three (Rabiaben Chhipa-Jamalpur, Noojahan Bagwan-Danilimda, Akhtarbanu Kansara-Dariapur) were women from the poorer communities, and pawns in the hands of the Political Party the were associated with.

Ms. Anishabegum Mirza, Councillor, Raikhad was educated and enlightened. In one of preparatory meetings, she spoke of the difficulties Minority Women when less in numbers, were having in raising cohesively their concerns and how the development needs of the walled City were being neglected.

SPURRED TO SPEAK

THE UNSCHEDULED SPEAKERS

Encouraged by the openness and charged nature of the milieu around them, some members of the audience thronged the stage to have their say. In brief, their demands are as listed below:

1. **Jamila from Nagpur** wants justice from a fraudulent marriage to an impotent man. She says she was cheated by her sister-in-law. She wants a dissolution of the marriage. (Later taken up by one of our Mahila Nyay Panchayats.)
2. **Rahmat Sheikh, the community organizer** wants justice for the woman who was divorced by her husband for not covering her head with a dupatta and thereby jeopardizing the family honor, and other cases of Postal Talaqs.
3. **Gulshan and Jamila** want justice for themselves and their children from husbands who squander their earnings on liquor.
4. **Rukhsana from Akola, Maharashtra** wants justice from a male dominated society where a husband divorces her for bearing a female child. She does not want a Divorce, but does not see any other option as her husband does not want her to return.
5. **Zubeida from Millatnagar**, who is today a popular Women's leader in the Community and member of the Mahila Nyay Panchayat where Sanchetana first established roots wants justice from a system that had the temerity to sell her off for Rs. 60 at the age of six!
6. **Suli**, the only earning member of a family where the father is addicted to liquor and the brothers do not earn, showed the audience what courage was all about. Engaged to be married soon, her future mother-in-law has already exhibited her venom and her father too, harasses her. But she is not depressed. She has let them know in no uncertain terms that she means business and will stand up for herself, come what may. It is up to the woman to shape her life, to be a doormat or not, believes this young woman.

Society, however, may have other plans for women. It has made **Darlyapur's Khatoon** a helpless widow with four boys, with nothing in her name. In a way, a start has already been made. For these women were not scheduled speakers at the conference. They were part of the assembled audience. Galvanized by the speakers, they had come up to the podium to share their stories.

The striking aspect of these Testimonies was that even after a long history of communal assaults, even Post - Independence on the Muslim Minorities in India, there are large sections from within the Community that do not want their advancement arrested: these are the WOMEN.

The Courage to stand up and SPEAK for their Rights and expose their pain in Public is to be lauded and recognized, as these are the "unaccounted for" Women.

Another important feature of the Testimonies was that we found that Muslim Women do not hesitate to seek Justice in Secular Courts, contrary to popular opinion that they sought redressal only from religious leaders.

Muslim Women have understood that Marriage under the Islamic Law, being a Social contract also promises them some Rights, unlike their counterparts in other religions who consider Marriage as a binding Institution for more than one life time. This consciousness of themselves as a legal entity augurs well for the Women of the Community as this has translated into Empowerment wherever sustained efforts have been made.



DALIT WOMEN

The condition of Dalit Women is no different from that of their Muslim sisters. They are similarly oppressed. Eleven years ago Ambika Makwana made the choice to join SANCHETANA to fight an abusive situation and learn of her rights. She criticized a social order where men make the laws for themselves and leave nothing for women.

Unlike those in Islam where some laws do refer to women, Dalits have to go to the panchayats for justice where rulings usually go in favor of the economically sounder party of men. Citing the case of 52-year-old Ratanben, she said she was thrown out of her house seven years ago. For 17 years she had served her husband and children. She is homeless today and has no rights.

Ambika Makwana felt that without organizing themselves, women like her will never get any rights or bring about much needed changes in the gender relations in her community.

Ambikaben's story in itself is a saga of struggle against the unjust laws of the land and her ultimate triumph today as a Torch - bearer of her Community.

Born in Ahmedabad into a fairly well off Dalit family, she had to leave for a small hamlet in Viramgam when her father lost his job in Ahmedabad. She was barely 8 years old then. **Her first experiences of untouchability and the caste system were here in the village, experiences alien to her as she had lived in the city earlier.**

Her mother, a bold and daring women of her times, broke the age-old dictum of the upper classes and caused quite a revolution by wearing foot-wear while walking in the village, while all others of her community went bare foot as per the existing rules. This inspired the young Ambika and laid the foundation perhaps, of things to come.

They moved back to Ahmedabad when she was 15 yrs. old and having commenced formal education later than other children, she had done upto her 7th standard then. Marriage followed and the fact that he was employed in a Mill (in organized labour) made him an eminently suitable groom in the eyes of her parents.

Unprepared for Marriage, physically or mentally, Ambika could not reconcile herself to the changes and adjustments that marriage required. Very often, she had to silently bear the beatings of her husband and had no where to go as it was unthinkable for her to go back to her



mother's house. She had 2 daughters and then the demand for a son started and was labeled "barren" as she could not produce a son.

Meanwhile, more troubles were in store. Her husband lost his job in the mill and she had to seek employment outside the house in a Factory at a Salary of Rs. 10/-per day. She was active in the Union too. Their Union leader compromised them and they were laid off their job. Life was difficult by all counts and that is when she heard of Sanchetana. Ambika was trained and worked as a Community Health Worker for five years before becoming active in The Woman's Program.

When the Women's Program gradually took on the issues of the Women of Khodiyar Nagar where she lived and the adjoining areas, Ambikaben played a catalyst's role in bridging relationships and dissipated many prejudices about Muslims in Dalit Women. "I have worked for both Hindus and Muslims" she recounts proudly "and have come to realize the bonds of suppression that hold us back" she says. The Women's Program also gave her the opportunity to attend the NGO Forum in Beijing, China in 1995 to participate in the 4th World Women's Conference, giving her the unique distinction of being the first Woman in her community to travel abroad.

She talks about her involvement in The Women's Program's schemes like the Mahila Nyay Panchayats and the Savings and Credit programs intended to empower women like her. The Women's Program in her own words has given her life a new direction and her determination is for all to see when she says "I will not rest till I have seen my sisters in need empowered and raring to go".

Way to go, Ambikaben!



VIEWES OF OTHER NGO REPRESENTATIVES, PANELISTS AND GUESTS

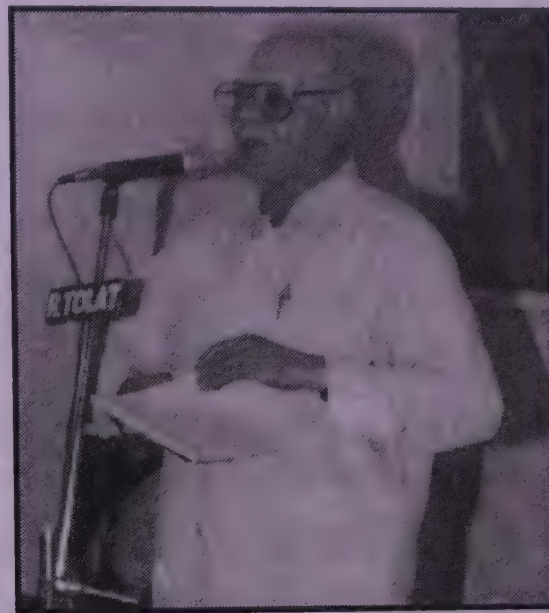
Panelist Harubhai Mehta, a Gujarat High Court lawyer deeply committed to human rights and minority issues, corroborated the communalization of politics today, and deplored its effects on the person in the street. Citing the Shahbanu case, he said it undermined Muslim Women's rights. The women's community all over the world is a voiceless community - in India, Muslim Women's progress is hindered by the pro-male divorce laws, whereas Hindu women are faced with dowry deaths.

So he exhorted all women to get together and fight oppression. "You are second to none," he told the women at the conference, "so do not be depressed and learn to stand on your own feet". He lauded the Women who had given their Testimonies because Women were generally the Voiceless Community.

Mr. Mehta further said that the primary difference in the Majority and Minority communities in the issue of crimes against Women was in the form it took. While bride burning was common in the Hindus, in Muslims it was Triple Talaaq. The victims are the same always - the Women.

Another High Court lawyer and Panelist Indubhai Jani expressed concern at the rise of communalism in Gujarat. The Muslim partner of a famous restaurant in Ahmedabad was torched some time back, but so far no serious action has been taken against the offenders, he said. If a Muslim wants to live in a Hindu - dominated part of Ahmedabad, he was not allowed to do so, he said.

"Will they tell us what to do, where to live, what films to see?" he asked. "We have to fight such fascism." Mr. Jani said. He ended, however, on an optimistic note "The coming century in India is a Women's century, not because of the (proposed)



HARUBHAI MEHTA-A CHAMPION
FOR THE MINORITIES CAUSE.

"The word SAHRWARU: Women's Action and Resource Unit has been beautifully coined. SAHR means morning. all of us know there are no nights that are not followed by mornings. Let this bring new mornings into the lives of Women"- Writer & Secularist - Indubhai Jani.



ZUBEDA APA. ONE OF OUR SENIOR LEADERS FROM THE COMMUNITY WELCOMES PROF. IMTIAZ AHMED

33% reservation (in Parliament) but because of the wonderful work they are doing."

Ms.Nafisa Barot of UTTHAN Trust working on Water and rural Women's issues in Gujarat interpreted the term "sisterhood" in a different way, when she said that just because Muslim women are talking about their rights and the daily indignities they have to suffer, it does not mean these problems are theirs alone. These are also problems that all Women face

and we must look at them from the wider perspective by which we understand why they are compelled to present their issues in this mannor and tackle them effectively.

Education, formal and informal, was considered an important ingredient in the creation of awareness amongst Muslim women. **JNU Professor of sociology Prof. Imtiaz Ahmed** underlined the need to educate women about their rights. Divorce becomes easier for Muslim men when their women are oftentimes unaware of the Quranic ruling on the subject. Their information is based on the Maulvi's interpretation that supports existing male power structures. The idea of forgoing 'Mehr' is not Quranic, yet women are forced to do so only to gain a few years of custody of their children. If the man wants to get rid of the woman and avoid mehr, in established practice the woman is asked to take "khulla" Ahmed cautioned the women not to take the Maulvi's(religious head) words as binding and learn to separate tradition from Quranic injunction. The idea of triple divorce(Triple Talaak) is alien to the Quran; so is giving up mehr for khulla, according to Prof. Ahmed.

Acknowledging that Women were the worst affected in any incident of communal violence, he said that it was important for the Muslim community to also control the fanaticism from within, in a bid to reduce susceptibility to communal tensions spurred on from outside. The process initiated

Through the Hearing would stand to benefit the future generations of women, and he thanked the women who had made this process feasible with their presence.

Naseem Khatri, a lawyer from Bhuj and legal advisor to the Samajik Nyaya Kendra there felt that problems within the community would decrease in proportion to the increase in education, which currently stands at a very low level. Like Prof. Ahmed, she staked a hope for the community's tomorrows: educate yourselves and more importantly, educate your daughters; "You have to have lesser children in an inflationary

and insecure society", she said. When a woman's own safety is in question at the time her husband throws her out, how can she support so many children, she questioned. "Fight for maintenance," she told the audience, "but learn to stand on your own feet."

Since change must come from within, **Shehnaz Sayed** of the **Bhuj-Kutch Mahila Sangathan** felt that the women should be able to change themselves first to be able to change society.

Mrunaliniben Doctor of Karm Sangh urged the Women to fight their battles themselves. "Overcome life's challenges the way Shamim Pathan has done" she said. She praised the Women for sharing their problems in front of such a large gathering.

One of the features that was appreciated very much by the panelists and other guests were the life - size portraits of the Grassroot Team that was displayed throughout the Hall with thought provoking statements echoing the perplexing issues faced by Women. This was the tribute paid to the Team who are seen as staunch catalysts of change in their respective communities.

The Women's Program Team's 6 Community Organizers belong to the Muslim and Dalit Communities, and each banner had a caption in a poetic form, highlighting one issue of concern relevant to the respective Community.

The banners featuring the grassroot Team members of the Muslim Community- Naseem, Najma, Mehmooda and Rehmat had the following captions painted below their portraits:

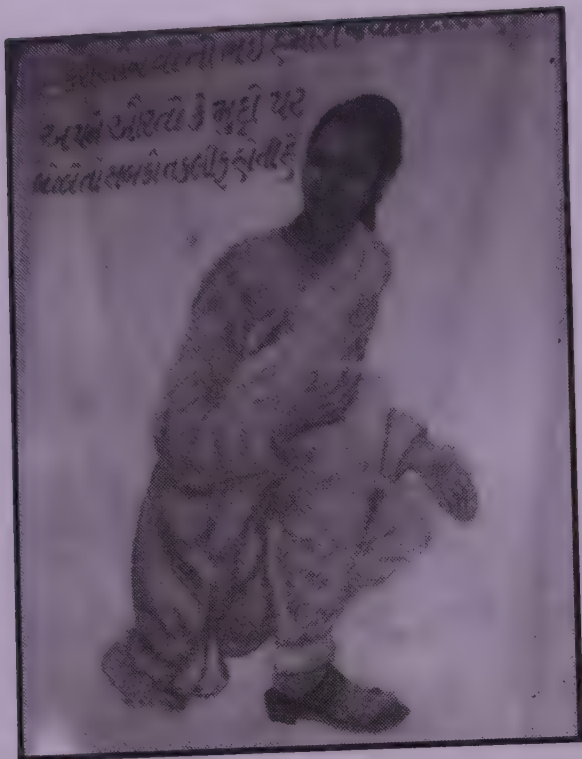
"The Divorce is over, and I have recovered my 'Mehr' and the 'Iddat' amounts, but who will provide for my children and our living expenses? Whether the marriage is 22 days old or 15 years old makes no difference to our Right to Maintenance" espoused one banner, speaking for countless women facing this problem.

"Just like how the Maulvi asks for the consent of the Woman during Marriage, should they not take the



ANOTHER VIEW OF OUR PANEL.- DR. HANIF LAKDAWALA & ADVOCATE MS. RANI ADVANI ARE SEEN HERE





consent of the wife before granting the Divorce too?" claimed another, questioning the common practice of unilateral Divorce.

"I wonder how it is that Men enjoy all the Rights and privileges and Women have none. I feel that even if Women are given the basic Rights according to Islam, we would still be better off than this" - one banner said this, echoing the sentiments of many other Women.

"Everybody is open to discussing problems of Water, Sanitation etc. But, very few people like it if we talk about Women's Issues" - this was a candid observation of the prevailing Scenario.

The banners featuring the grassroot workers of the Dalit Community, namely Ambika and Bhavna had the following remarks that highlight this community's specific problems:

(a) How is it that all the Laws are made by Men when Women are the ones who face all the difficulties? Will Men ever understand our problems?

(b) When a married Woman returns to her mother's home unable to bear her in-law's taunts, Society frowns on her. Fearful of going back to her in-laws and unable to bear the Societal censure, she ultimately commits suicide".

"It is indeed a rare thing", said Ms. Nasreen Faiyaz of NAWO and Prof. Imtiaz Ahmed who were present, "for an organization to acknowledge its current grassroots workers in such a visible gesture of their contribution".



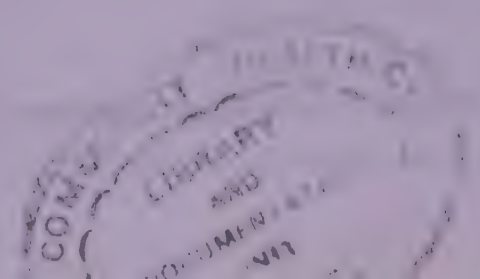
RECOMMENDATIONS

For all of us who cherish equality as a Fundamental Right, expanding definitions of Equality to include Women's Rights, Rights of the underprivileged, marginalized and Minorities have become of paramount importance in the continuing wake of Violations of Rights of these sections.

Any disregard or underestimation of the need to include these aspects into the agenda of Social Action has and will continue to increase fissures, restiveness and defeat many of our endeavours in the direction of minimizing inequalities.

This has become amply evident to the Women's Movement in the course of the last decade and more now that Women hold multiple identities. Acknowledging and respecting this only can we stride ahead in strategies to elevate the status of Women and their stakes in all walks of life.

- ❖ The strongest recommendation lies in the need to protect the Rights of Minorities to live in Peace and Security in a Democratic Nation.
 - The next step would be to increase their representation in positions and policies that would give the needed emphasis in the direction of their betterment.
 - Quick redressal and indictments of crimes against minorities as a community, will enable shifting the focus of eking out an existence with the sense of being wronged and discriminated, to positive efforts on the Development index.
 - Reinstating these Rights as a community over a sustained period will strengthen and make the 'Voices for Changes' from within the varied sections of the community gain momentum to render Rights and Justice for Women available within The Personal Law as well as make the necessary amendments.
- But is there an adequate build up of pressure on the first recommendations to ensure that the latter follows
- Until then the battle goes on..



CONCLUSION

By way of this Public Hearing - where Muslim Women from the more economically deprived echelons of Muslim Society spoke out, we have fulfilled the purpose of spotlighting the determined ripples of change by Women locally, who want to take charge of the course of their lives in as much measure as is possible by them.

Their realities and the options they exercise may be due to the added burden of Poverty. But, they also are governed by laws and social norms that constrain their already difficult situation. Gender disaggregated data for Muslim Women is sparsely available, nor is systematic information on their economic or social status, health and education forthcoming. Without these inputs, evolving strategies for their upliftment are impeded. Exigent is comprehensive information on the development of marginalized communities.

The diversity of the practice of cultural and social norms has defied the attempts of uniform solutions in giving expected results. Still, it is desirable to dispel the perception that Muslim Women do not use secular courts for justice and point out that the reality is very much different. Increasingly, maintenance is being demanded under Cr.P.C. Section 125 and in cases of Domestic Violence, IPC Section 498A is being invoked. It indicates that women who bear the brunt of the discrimination are ready for changes in the personal laws. **The fact that they told their stories in public also dissipates the impression that Muslim women are hesitant to speak out fearing reprisal from their community leaders.** Inasmuch is the need to assure the right to live a life free from insecurity for every individual and community for their full growth and development.

The community must recognize the demands of the Muslim woman for her dignity, status and rights. The society and state should provide an atmosphere conducive to the realization of these demands. The Muslim woman is ready for

"During the Riots, some youth brought a Muslim woman with 19 stab wounds to our centre and left her lying there, bleeding profusely. Some Muslim youth asked us, "Why does this happen to us?" Would they do it to a Hindu Woman ? We all in the Movement for Secularism have to ensure that the sense of security and co-existence of religions prevails for this kind of hurt and anguish to diminish"-
Ms. Sheba George.

change, but the onus of change equally rests with the men and the custodians of religion. Change can be brought about in conjunction by all these sections.

Violations of their Rights as Women at the hands of their own Community is vividly mirrored in their minds when they are forced to either seek the protection of their people when vulnerable to attacks themselves or when they defend their people by warding off attacks. They have to be liberated from such predicaments that restrain them from realizing their full potentials.

COVERAGE BY THE PRESS
ENGLISH
AND
VERNACULAR

ગુજરાત હુકે

શનિવાર

તા. ૧૨-૨-૨૦૦૦



કોમવાદની કથળેલી સ્થિતિ હોય કે સમાજની આર્થિક બાબતો હોય મૂળભૂત અધિકાર માટે પ્રત્યેક ક્ષેત્રે મહિલાઓને જ વધુ સહન કરવું પડતું હોય છે. જેમાં મુસ્લિમ મહિલાઓ પણ બાકાત નથી. મહિલાઓમાં પોતાના અધિકારો અંગે જાગૃતિ કેળવવા તથા પોતાના હક્ક માટે સંઘર્ષ કરવાના લક્ષ્યાંક સુધી પહોંચવા માટે સહર-વેડુ (વિમેન્સ એક્શન એન્ડ રિસોર્સ યુનિટ) અને સંચેતનાના મહિલા કાર્યક્રમ અંતર્ગત "મહિલાઓની વેદના મહિલાઓની જુબાની" વિશે અમદાવાદના છીપા કોમ્યુનિટી હોલ ખાતે એક કાર્યક્રમ યોજાયો હતો. જેમાં સ્થાનિક ઉપરાંત ગુજરાતના વિવિધ વિસ્તારોની દુઃખી મહિલાઓએ ઉપસ્થિત રહી પોતાના ઉપર થયેલા અત્યાચારો વિશે ચર્ચા કરી હતી. આ પ્રસંગે સંચેતનાના સહ નિર્દેશક સુશ્રી શીબા જ્યોર્જ, નેશનલ કમિશન ફોર વિમેન્સ (દિલ્હી)ના સભ્ય સુશ્રી સઈદા હમીદ, પ્રો. ઈમ્તિયાઝ એહમદ તથા સંચેતનાના શ્રી હનીફ લાકડાવાળા પ્રસ્તુત પ્રથમ ચિત્રમાં દશ્યમાન થાય છે. બ્યારે પોતાના અધિકારો માટે જાગૃતિ કેળવવા અને અવાજ બુલંદ કરવા માટે વિશાળ સંખ્યામાં એકેત્ર થયેલી મહિલાઓ બીજી તસવીરમાં જોઈ શકાય છે. ગુજરાત ખાતે મુસ્લિમ મહિલાઓને તેમના અધિકારો અંગે જાગૃત કરવાનો રાજ્યવ્યાપી આ સૌ પ્રથમ કાર્યક્રમ હતો.

Muslim women give testimonies on riots, *talaak*

By A Staff Reporter

AHMEDABAD: A state-level convention of Muslim women organised by Sanchetna, here on Friday, provided a platform for women from Ahmedabad, Mehsana and several neighbouring areas to voice their problems concerning domestic violence, economic deprivation, divorce laws and polygamy.

The frank and forthright manner in which representatives of the 800 Muslim women articulated their problems surprised the organisers of the event and observers, including a member of the National Commission for Women (NCW). Dr Saeeda Hamid and Prof Imtiaz Ahmed from Jawaharlal Nehru University (JNU), New Delhi. Prominent lawyers and activists Harobhai Mehta, Indubhai Jani, Sheeba George, Hanief Lakdawala and Rani Advani also heard the testimonies of the women which were recorded throughout the day.

Said Dr Saeeda Hameed "the issues of economical disempowerment, triple *talaak*, polygamy, non-payment of maintenance and domestic violence are most commonplace". She said it was appalling that while the Muslim Personal law provides for maintenance, this is not followed in India. "Even in other Islamic countries there is nothing like



Muslim women listening to testimonies on domestic violence and communal riots at a hearing organised by Sanchetna in Ahmedabad on Friday.

triple *talaak*, even if a man wants to remarry, it requires the written permission of the first wife".

Prof Imtiaz Ahmed said it was heartening that the women came

out of their homes and sat through the proceedings the whole day listening to testimonies put forth in a candid, forthright and forceful way. He said only a

handful of these women had any sort of "organisational experience", of being part of some women's organisation.

Sheeba George who runs

Sanchetna, said the testimonies relate to matrimonial and domestic matters and many of the cases had little to do with religion. There was talk of young girls being vulnerable to sexual abuse when the parents go out for work. She said a lot of women were also victims of communal violence and the effort was that they should not just be heard as women but also representatives of the minority community. Some of them had lost their husbands in communal violence.

A press release issued at the end of the convention stated that the growing communalisation of the state machinery in recent years had resulted in a situation where women were made a special target of attack. These women faced serious situation as the state had not given them any protection or economic support. "The growing communalisation created difficulties for the women within the community as communalisation of the wider society promoted closure and defensiveness within the community from which women suffered particularly". The exercise was part of efforts by the NCW to record testimonies of women of the minority community across the country. Dr Hameed said such conventions help in creating space for Muslim women to share their problems.

NGO gives voice to women's woes

EXPRESS NEWS SERVICE

AHMEDABAD, FEB 11

ABOUT 800 women from the minority and backward communities had despondent tales — varying from child abuse to abject poverty — to tell at the first public hearing for minority women in the State which was held here in Ahmedabad on Friday. The hearing was organised by Sahr-Waru, the women's programme unit of Sanchetna.

The jury for the hearing comprised Hameeda Shahid, member, National Commission for Women, Prof Intiaz Ahmed from Jawaharlal Nehru University, advocates of Gujarat High Court Indu Kumar Jani, Rani Advani and Harubhai Mehta, and Dr Hanief Lakdawala and Sheba George of Sanchetna.

The aim of the hearing was to decide upon some initiatives for the amelioration of women, particularly in minority

communities. This convention was an attempt to create space for Muslim women to share their problems and to create awareness through such experience sharing. The participants were from Ahmedabad, Mehsana and Sabarkantha districts.

There were some women who were married in villages of Rajasthan but were abandoned by their husbands. The heart rending tales were of atrocities, domestic violence, communal riots and alcoholism, to name a few.

It was noted that though sexual abuse can take place in any family belonging to any economic background, poverty makes the girl child more vulnerable to sexual abuse as the mother may be forced to leave her daughter home to earn a living. In a testimony it was revealed that for such an abuse a culprit got away with just three months' imprisonment. This indicated that legal education to women is of

paramount importance.

Saiveda Hamid said it was appalling to know that Gujarat did not have a commission for women which could work for the redressal of the problems of women. Some of the testimonies related to the experiences of Muslim women whose families were victims of communal violence.

Hamid said the Muslim laws in India are weak and incapable of protecting women's rights. Citing an example, she said all the Muslim countries have matrimonial courts where one has to make an application to seek a divorce.

Another problem faced by Muslim women is the weak 'nikah nama' in India. Not all the conditions can be laid down in India.

However, in countries like Pakistan, the women can make needful changes in the contract of marriage which safeguards her basic marital and human rights.

THE ASIAN AGE 12 FEBRUARY 2000

Muslim women hold meeting on rights

BY OUR CORRESPONDENT

Ahmedabad, Feb. 11: About 800 Muslim women participated in the first ever "public hearing" on the violation of the rights of women members of minority communities. The participants shared their experiences of torture and injustice meted out to them and sought assistance from the panel of experts. Women from Guptanagar in Ahmedabad, Amod in Sabarkantha and Mehsana attended the conven-

tion. The discussion covered human rights violation issues like child abuse, dowry death, communal conflicts, matrimonial disputes etc. The single day convention was jointly organised by Sanchetna and Saher Varu, a non-government organisation that works for safeguarding women's rights. Eminent personalities chaired the panel of jurists for the hearing. Dr Saiyeda Hameed, member of the National Commission for women, senior advocates Haroobhai Mehta and

Rani Advani, prof. Imtiaz Ahmed, a liberal scholar from the JNU and Dr Hanif Lakdawala were the jurists for the hearing.

Dr Hameed told reporters after the convention that women expressed themselves in a very free and strong manner. She said the National Commission for Women has special judicial rights, which grants it a status of a civil court. However, there are state commissions for women in eight other states in the country,

barring Gujarat.

Ms Sheeba George, the director of Sanchetna, said, "Our objective is to focus on women's struggle in Muslim communities. The unique sense of dignity and power in the women must be given support and direction to strengthen their struggle for justice and rights."

Dr Saiyeda Hameed also released a book *Mein Bank Saver Jaag Uthi*, a compilation of the work done by the organisation.



LOCATIONS FROM WHERE THE TESTIMONIES WERE DRAWN...



**AHMEDABAD
CITY**

ABOUT US...

THE WOMEN'S PROGRAM – SANCHETANA



Sanchetana has been working in urban poor communities since 1982 and The Women's Program was formed in the course of the Work of the Organization with the objective of enhancing the self-esteem and self-confidence of Women, individually and collectively by developing knowledge, skills and material base in Women, challenging societal exploitation from the framework of Women's equality and empowering the Socio-political dimensions of Women's lives. These objectives have been achieved by undertaking several projects in the last decade that include Gender Training, Income Generation activities for Women, Education and skill giving classes for Adolescent girls and Women, Formation of savings and credit groups, Advocacy for basic Rights, Supporting and developing the formation of Autonomous Women's groups like Sakhi for Women's Economic Empowerment and Shakti for Women's and Human Rights. The Women's Program in the last several years has contributed greatly to the preparatory processes to the Fourth World Conference on Women and its follow up and has also been involved in the larger movement for Women in the country.

SAHR WARU : WOMEN'S ACTION AND RESOURCE UNIT



SAHRWARU has come into existence to fulfill the dimensions of Feminist Research, Documentation, Advocacy and Networking that have emerged in the course of the last 15 years of our work for Women's Empowerment as the Women's Program – Sanchetana. We see ourselves playing large Advocacy roles to highlight the diverse perspectives prevailing in the varied sections of Women in our multicultural Society as part of our efforts to eliminate Gender and Social Inequalities.

A Programme of SANCHETANA

0-45/46 New York Trade Centre, Thaltej Cross Roads, Ahmedabad - 380 054 , Gujarat, India.

Ph. No.: 91 - 79 - 685 8195, Fax.No. : 91 - 79 - 684 3459 E-mail : sahrwaru@ad1.vsnl.net.in